

Jan 02, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

KENNETH P.<sup>1</sup>,

Plaintiff,

vs.

ANDREW M. SAUL,  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 1:19-CV-03148-MKD

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)**

**ECF Nos. 13, 14**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 14, of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney Victoria Chhagan represents Plaintiff. Attorney Sarah Martin represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 6. After consideration, **IT IS HEREBY ORDERED** that:

<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names.

1           1. The parties' Stipulated Motion for Remand, **ECF No. 14**, is **GRANTED**.

2           2. The above-captioned case be **REVERSED** and **REMANDED** to the  
3 Commissioner of Social Security for further administrative proceeding pursuant to  
4 sentence four of 42 U.S.C. § 405(g).

5           On remand, the parties stipulate that the ALJ will:

- 6           (1) Reevaluate Dr. Kim's opinion;  
7           (2) Reevaluate the testimony of Plaintiff and his mother;  
8           (3) Obtain supplemental vocational expert evidence, if necessary;  
9           (4) Conduct a new hearing; and  
10          (5) Issue a new decision after a de novo review.

11          ECF No. 14 at 1-2.

12          3. Judgment shall be entered for **PLAINTIFF**.

13          4. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, is **STRICKEN**  
14 **AS MOOT**.

15          5. Upon proper presentation, this Court consider Plaintiff's application for  
16 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

17          The District Court Executive is directed to enter this Order, **enter**  
18 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

19          DATED January 2, 2020.

20                               s/Mary K. Dimke  
                                  MARY K. DIMKE  
                                  UNITED STATES MAGISTRATE JUDGE